

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Upon entry of this Amendment, claims 1-5 and 8-21 are pending in the application. Claims 1, 10, 12, and 13 have been amended.

Applicants respectfully acknowledge the allowance of claims 14-21. Also, Applicants respectfully acknowledge the indication that claims 12 and 13 would be allowable if rewritten into independent form. However, in view of the foregoing amendments and the following remarks, Applicants respectfully submit that all claims are allowable.

Claim 10 is rejected under 35 U.S.C. §112, second paragraph. Claim 10 has been amended for clarity purposes in order to overcome this rejection. Accordingly, withdrawal of the rejection under §112, second paragraph is respectfully requested.

Claims 1-5 and 8-11 are rejected under 35 U.S.C. §103(a) over Tyus et al. in view of Lim. Applicants respectfully request the Examiner to reconsider this rejection based on the amendment to claim 1 and the following distinguishing comments.

Claim 1 is directed to a container including a container structure having an opening, a sliding panel and a pivoting panel operable to cover and uncover the opening, a locking structure provided on the sliding panel, and a lock receiving structure provided on the pivoting panel. The locking structure is constructed and arranged to engage the lock receiving structure to releasably lock the sliding panel and the pivoting panel to one another when the sliding panel moves into the intermediate open position. The container structure includes a lock releasing structure constructed and arranged to release the locking structure of the sliding panel from locking engagement with the lock receiving structure of the pivoting panel when the pivoting panel moves into the closed position.

Neither Tyus nor Lim, alone or in combination, teach or suggest the container as recited in claim 1. The Office Action asserts that Tyus teaches a container comprising a housing with doors, a handle for pushing or carrying, and wheels. The Office Action relies on Lim to teach a door having a sliding panel assembly and pivotal panel assembly combination, and a locking structure therefore.

However, Lim does not disclose or suggest the locking structure, the lock receiving structure, and the lock releasing structure as recited in claim 1. As illustrated in Fig. 5 and described in column 4, lines 15-26, the locking structure of Lim, i.e., the latching device 32, is mounted on the front side of the first panel 11 (the pivoting panel) and includes a spring

biased bar 33. The bar 33 is biased to extend out from the housing of the first panel 11 so as to extend across the front side 21 of the second panel 12 (the sliding panel) to thereby prevent that panel from sliding in the track assembly from its retracted position to its extended position. That is, Lim discloses a locking structure in which a bar provided on the pivoting panel is positioned in the path of the sliding panel so as to prevent the sliding panel from movement along the path. Lim does not teach or suggest a container that includes a locking structure provided on the sliding panel and a lock receiving structure provided on the pivoting panel, wherein the locking structure and the lock receiving structure engage to releasably lock the sliding panel and the pivoting panel to one another when the sliding panel moves into the intermediate open position, as recited in claim 1.

Moreover, since Lim fails to disclose or suggest a locking engagement between a locking structure on the sliding panel and a lock receiving structure on the pivoting panel, Lim fails to disclose or suggest a lock releasing structure on the container that releases the locking structure of the sliding panel from locking engagement with the lock receiving structure of the pivoting panel when the pivoting panel moves into the closed position, as recited in claim 1.

Tyus does not make up for the deficiencies noted above with respect to Lim.

Accordingly, withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2-5 and 8-11 are allowable by virtue of their dependence on claim 1 and additionally allowable for their recitation of additional patentable subject matter.

All objections and rejections have been addressed. It is respectfully submitted that the present application is now in condition for allowance, and a notice to that effect is earnestly solicited.

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Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

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